IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2845 OF 2004
IN
APPEAL LODGING NO.503 OF 2004
IN
NOTICE OF MOTION NO.1414 OF 2004
IN
SUMMARY SUIT NO.2612 OF 2003

Dashrath maruti Mangaonkar .. Appellant.

V/s.

Meena Narendra Chaudhary .. Respondent.

Mr.A.S. Kapse with Mr.V.S. Kapse for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 30TH NOVEMBER, 2004.

P.C. :

Heard the learned counsel for the appellant - applicant. Nobody appears for the respondents to oppose the notice of motion despite service.

2. For the reasons stated in the affidavit in support of the notice of motion, we are satisfied that the appellant-applicant was prevented by sufficient cause in filing the appeal in time. The delay is of five days and is sufficiently explained.

3. We, accordingly, condone the delay in filing the appeal.

4. The office to post the appeal for admission as soon as numbered.

5. The notice of motion stands disposed of.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)